

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

PLANNED PARENTHOOD SOUTH	}	
ATLANTIC, et al.,	}	
	}	
	}	
	}	Case No. 3:18-cv-2078-MGL
Plaintiffs,	}	
	}	
vs	}	
	}	
JOSHUA BAKER,	}	
	}	
Defendant.	}	

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT

Plaintiffs, through undersigned counsel, move this Court for summary judgment pursuant to Fed. R. Civ. Proc. 56 on Count I of the Complaint.

As is more fully explained in the accompanying memorandum of law, summary judgment is warranted because, as a matter of law, Defendant’s termination of PPSAT’s Medicaid provider agreement violates the right of Plaintiff Julie Edwards to obtain family planning and other preventive health care services from the qualified provider of her choosing under 42 U.S.C. § 1396a(a)(23).

Plaintiffs ask this court to: 1) issue a declaratory judgment that Defendant’s decision to terminate PPSAT from Medicaid violates the Medicaid Act and is therefore void and of no effect; and 2) issue a permanent injunction enjoining Defendant and his agents, employees, appointees, delegates, and successors from terminating PPSAT from Medicaid based on PPSAT’s lawful provision of abortion care or for any other reason unrelated to its professional competence to provide medical care.

This Motion is based upon Plaintiffs’ Complaint for Injunctive and Declaratory Relief—Class Action and the memorandum of law filed herewith.

Respectfully submitted this 31st day of January 2020:

/s/ M. Malissa Burnette

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